

APPENDIX A

PLAINTIFFS' LIST OF WITNESSES

At trial, the Plaintiffs expect to offer testimony of the following witnesses. Plaintiffs reserve the right to present additional witnesses for purposes of document authentication and rebuttal testimony, as may prove necessary during the trial.

1. Shirdenia Bryant
Cincinnati, OH

Plaintiff Bryant will testify to her solicitations by defendant Christian and co-conspirator Marfisi, and she will testify about how the schemers tricked her out of the equity in her family home. She will testify as to her interactions with co-conspirator Meckstroth, and she will testify to the impact of the defendants' scheme on her personally.

2. Harry Curtis
c/o Goodwill
10600 Springfield Pike
Cincinnati, OH 45215

Plaintiff Curtis will testify about his interaction with the defendants and with co-conspirator Meckstroth, and he will testify about how the defendants tricked him out of his family home. He will testify to the loss of his personal property in the home and the impact of the defendants' scheme on him personally.

3. Russell Paige
Cincinnati, OH

Mr. Paige will testify to the defendants' solicitations of him and how the defendants tricked him out of his family home. Mr. Paige's testimony will establish the pattern of fraudulent conduct that the defendants perpetrated.

4. John Meckstroth, Attorney
22 West Ninth Street
Cincinnati, Ohio 45202

Attorney Meckstroth will be called as on cross-examination to testify about his involvement with the defendants and with the plaintiffs. Mr. Meckstroth will authenticate documents and will describe his representation of Defendant Curtis after which he assisted in having Mr. Curtis evicted from the family home.

5. Defendant Roseanne Christian
Fairfield, OH

Defendant Christian will testify about her background and experience with Prescott Bigelow, IV. She will describe her role in the scheme, in particular her solicitation of the plaintiffs and others. She will identify documents and identify the enterprise known as "Tri-State Mortgage Assistance." She will reveal her participation in soliciting and in transporting several of the victims to Mr. Meckstroth's office. Roseanne Christian will also testify about the pattern of activities in which she engaged with Prescott Bigelow, IV. She will also describe the timing and the amount of payments she received from Defendant Bigelow.

6. Defendant Prescott Bigelow, IV
5365 Miami Rd.
Indian Hill, OH 45243

Defendant Bigelow will testify as on cross-examination about his involvement with various victims of his scheme, and he will describe the properties he acquired and sold through the scheme.

7. Paul Bigelow
Bigelow Homes, Inc.
4489 Eastern Avenue
Cincinnati, OH 45226

This witness, the brother of Defendant Bigelow, will testify concern financial transactions with respect to the Curtis family home at 1966 Fairfax Avenue.

8. McKinley Mortgage
21 Alexandersville Rd.
Miamisburg, OH 45342

A representative of McKinley Mortgage will authenticate documents created by Defendant Bigelow in connection with operation of the scheme on Plaintiff Bryant.

9. Cincinnati Fire Department
430 Central Ave.
Cincinnati, OH 45246

A representative of the Cincinnati Fire Department will testify about the extent of damage to the Curtis family home at 1966 Fairfax Ave. caused by the fire set by Mr. Curtis.

10. Amy Clements

If Mrs. Clements can be located and deposed, she may testify as to Defendant Bigelow's business operations and the enterprises involved.

11. Walter Ellis
51 Silver Maple Way
Cincinnati, OH 45246

Mr. Ellis will authenticate documents and testify concerning financial dealings by Defendant Bigelow.

12. Mark Burbrink
4310 Hegner Avenue
Cincinnati, OH 45236

Mark Burbrink will testify about ownership of the home at 8670 Darnell, the legal proceedings relating to that home, and his solicitation while at home by Roseanne Christian, then by Prescott Bigelow, IV. He will testify about the representations and inducements made to him during that home solicitation and the documents signed during that home solicitation. He will testify as to who was and was not present during those solicitations. He will describe the circumstances around and statements in response to which he went to the office of John Meckstroth. He will describe the documents that he signed and those that he believed to have been signed during the session at Mr. Meckstroth's office. He will describe the pertinent events after the session at Mr. Meckstroth's office, the eviction proceedings initiated by the Defendants.

13. Michael Burbrink
4310 Hegner Avenue
Cincinnati, OH 45236

Mr. Burbrink will testify about Defendant Christian's involvement in the scheme and the interaction among Defendants Christian, Bigelow, and Burbrink.

14. Donald Lerner (expert)
Lerner Sampson & Rothfus
Mercantile Center – Suite 800
120 East Fourth Street
Cincinnati, Ohio 45202

Based on his experience and training in the real estate and mortgage loan foreclosure industry, Mr. Lerner will describe standard procedures of the business in the Cincinnati area. Based on evidence otherwise introduced at trial, he will give opinions as to whether the sales agreements signed by the plaintiffs and other victims were accurately reflected by the closing statement and other documents. He will also give opinions about the absence of documents, which in the normal course would be expected as a result of the contract signed by the parties. Mr. Lerner will also give opinions about the reasonableness of the financial transactions, and the appearance of a pattern, motive, and absence of mistake in connection with the scheme alleged. Defendants' former counsel has taken Mr. Lerner's deposition in similar state litigation.

15. Curtis Sherman
Cincinnati, OH

This former neighbor of Harry and Patricia Curtis will testify as to the disposition of personal property from the Curtis home after the eviction of Harry Curtis